

CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO, P.C.
COUNSELLORS AT LAW

CHARLES C. CARELLA
BRENDAN T. BYRNE
PETER G. STEWART
JAN ALAN BRODY
JOHN M. AGNELLO
CHARLES M. CARELLA
JAMES E. CECCHI

JAMES D. CECCHI (1933-1995)
JOHN G. GILFILLAN III (1936-2008)
ELLIOT M. OLSTEIN (1939-2014)

JAMES T. BYERS
DONALD F. MICELI
A. RICHARD ROSS
CARL R. WOODWARD, III
MELISSA E. FLAX
DAVID G. GILFILLAN
G. GLENNON TROUBLEFIELD
BRIAN H. FENLON
LINDSEY H. TAYLOR
CAROLINE F. BARTLETT

5 BECKER FARM ROAD
ROSELAND, N.J. 07068-1739
PHONE (973) 994-1700
FAX (973) 994-1744
www.carellabyrne.com

RICHARD K. MATANLE, II
FRANCIS C. HAND
AVRAM S. EULE
RAYMOND W. FISHER

OF COUNSEL

RAYMOND J. LILLIE
WILLIAM SQUIRE
ALAN J. GRANT^o
STEPHEN R. DANEK
DONALD A. ECKLUND
MEGAN A. NATALE
AMANDA J. BARISICH
ZACHARY S. BOWER⁺
MICHAEL CROSS
CHRISTOPHER J. BUGGY
^MEMBER NY BAR ONLY
+MEMBER FL BAR ONLY

June 4, 2015

Via ECF

The Honorable Mark Falk
United States Magistrate Judge
U.S. District Court for the District of New Jersey
United States Post Office and Courthouse Building
Newark, NJ 07101

Re: In Re Urethane Antitrust Litigation,
Civil Action No. 08-5169 (WJM) (MF)

Dear Judge Falk:

In anticipation of the status conference on June 9 in the above-referenced case, Plaintiffs wanted to provide you with Plaintiffs' advance input on scheduling for your consideration.

We will be submitting the Final Pretrial Order to you tomorrow. We apologize in advance for the size of the submission. Despite diligent efforts, we have not been successful in reducing the numbers of witnesses and exhibits that are still in play. Speaking only for plaintiffs, we believe that the Court's anticipated rulings on the parties' proposed motions *in limine* will substantially reduce the size and scope of the case. In your scheduling order of February 19, 2015, you indicated that we would be discussing the schedule for the motions *in limine*. In that regard we would propose one month from the June 9 conference for their initial submission, one month for oppositions and a third month (or perhaps a little less) for replies. We have advanced this proposal to Dow but have not yet received a response. That would take us to early September.

The Honorable Mark Falk

June 4, 2015

Page 2

As this Court knows, these cases have been pending since 2008. Subject to Judge Martini's calendar, Plaintiffs hope this case can be set for trial this year. Based on our proposed schedule for motions *in limine*, we believe the case can be ready for trial in October. We expect the trial to last six to seven weeks. The setting of a trial date is our highest priority. Hopefully our desire coincides with Judge Martini's schedule.

Thank you for your continued attention to this matter.

Respectfully submitted,

CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.

/s/ James E. Cecchi

JAMES E. CECCHI

cc: All Counsel of Record (via ECF)